

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte THOMAS M. BEHR and  
DAVID M. GOLDENBERG

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Appeal No. 2004-0878  
Application 09/200,791

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**ORDER DISMISSING APPEAL**

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Before HARKCOM, Acting Chief Administrative Patent Judge, and  
WILLIAM F. SMITH and GREEN, Administrative Patent Judges.

Per curiam.


On February 14, 2003, appellants filed a Notice of Appeal. On June 30, 2004, appellants filed a communication stating that appellants are filing a Request for Continued Examination in this application and "do not wish to pursue the pending Appeal."

Accordingly, it is

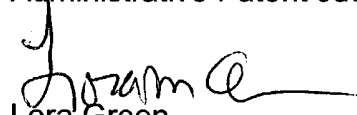
ORDERED that the appeal filed February 14, 2003, is dismissed.

Appeal No. 2004-0878  
Application 09/200,791

The application is being returned to the examiner for further action as may be appropriate.

  
Gary V. Harkcom, Acting Chief  
Administrative Patent Judge

  
William F. Smith  
Administrative Patent Judge

  
Lora Green  
Administrative Patent Judge

} BOARD OF PATENT

} APPEAL

} INTERFERENCES

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